

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 1205(b) (14 **Del.C.** §1205(b))
14 **DE Admin. Code** 1562

FINAL

REGULATORY IMPLEMENTING ORDER

1562 English to Speakers of Other Languages (ESOL) Teacher

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

The Professional Standards Board, acting in cooperation and consultation with the Department of Education, seeks the approval of the State Board of Education to amend 14 **DE Admin. Code** 1562 Teacher of English Learners. The proposed regulation adds a non-regulatory note concerning the passage of an examination of content knowledge, amends the title to accord with current terminology used in the education field, clarifies the additional requirements to obtain the certificate under section 4.0, and adds section 5.0, which recognizes a Standard Certificate English to Speakers of Other Languages (ESOL) issued before January 1, 2017.

Notice of the proposed regulation was published in the *Register of Regulations* on September 1, 2016 in the form attached hereto as Exhibit "A." Persons who wished to present their views regarding the proposed regulation were invited to do so in writing by October 3, 2016. The Professional Standards Board did not receive written comments. On October 6, 2016, the Professional Standards Board made non-substantive changes to the title to accord with current terminology used by the United States Department of Education and to clarify the proposed amendments to section 4.0. The Professional Standards Board believes that the proposed regulation serves to improve the quality of instruction for Delaware's children and that the amendments are designed to improve the quality of the Delaware educator workforce and to improve student performance.

On October 6, 2016, the Professional Standards Board signed an order, in the form attached hereto as Exhibit "B", proposing to amend 14 **DE Admin. Code** 1562 Teacher of English Learners subject to the approval of the State Board of Education.

II. FINDINGS OF FACT

The Professional Standards Board finds that it is appropriate to amend 14 **DE Admin. Code** 1562 Teacher of English Learners to add a non-regulatory note concerning the passage of an examination of content knowledge, amend the title to accord with current terminology used by the United States Department of Education, clarify the additional requirements to obtain the certificate under subsection 4.0, and add subsection 5.0, which recognizes a Standard Certificate English to Speakers of Other Languages (ESOL) issued before January 1, 2017.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Professional Standards Board concluded that it is appropriate to amend 14 **DE Admin. Code** 1562 Teacher of English Learners.

Pursuant to 14 **Del.C.** §1203, the amended regulation attached hereto as Exhibit "A" is hereby approved.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1562 Teacher of English Learners amended hereby shall be in the form attached hereto as Exhibit "A" and said regulation shall be cited as 14 **DE Admin. Code** 1562 Teacher of English Learners in the Administrative Code.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Professional Standards Board pursuant to 14 **Del.C.** §1203 on October 6, 2016 and by the State Board of Education on October 13, 2016. The effective date of this Order shall be ten (10) days from the date this Order is published in its final form in the *Register of Regulations*.

IT IS SO ORDERED the 6th day of October, 2016 by the Professional Standards Board.

Byron Murphy, Chairman

David Kohan, Vice Chairman

Diane Albanese (absent)

Dr. Darren T. Guido

Amber Augustus

Rosaria Macera

Gerald Allen

Darlene O'Neill

Jennifer Burton

Mary Pinkston

Stephanie DeWitt

Dr. Stephanie Smith (absent)

Nelia Dolan

Sue Smith

Dr. Laura Glass

IT IS SO ORDERED the 13th day of October, 2016.

Department of Education

Steven H. Godowsky, Secretary of Education

Approved this 13th day of October, 2016 by the State Board of Education.

Teri Quinn Gray, Ph.D., President

G. Patrick Heffernan

Nina L. Bunting, Vice President

Barbara B. Rutt

Gregory B. Coverdale, Jr.

Terry M. Whittaker, Ed.D.

1562 English to Speakers of Other Languages (ESOL) Teacher Teacher of English [Language] Learners

Non-regulatory note: Passage on an examination of content knowledge may also be required to obtain this certification. Pursuant to 14 Del.C. §1220 and 14 DE Admin. Code 1505, an examination of content knowledge is required when applicable and available. An examination of content knowledge is applicable and available when it is required by the Professional Standards Board, in consultation with the Department, and with the approval of the State Board of Education. See the Department of Education's website for additional information.

1.0 Content

- 1.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 **Del.C.** §1220(a), for ~~English to Speakers of Other Languages (ESOL) Teacher~~ Teacher of English [Language] Learners. This certification is required for grades K to 12.
- 1.2 Except as otherwise provided, the requirements set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

7 DE Reg. 775 (12/01/03)

12 DE Reg. 341 (09/01/08)

2.0 Definitions

- 2.1 The definitions set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.
- 2.2 The following word[s] and term[s], when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

"Nationally recognized equivalent examination" means a standardized test which measures knowledge in a specific content area that is nationally recognized as having at a minimum the same rigor and reliability as a Praxis II examination.

"Passing score" means a minimum score as established by the Standards Board, in consultation with the Department and with the ~~concurrence~~ approval of the State Board.

7 DE Reg. 775 (12/01/03)

10 DE Reg. 995 (12/01/06)

12 DE Reg. 341 (09/01/08)

3.0 Standard Certificate

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Standard Certificate as an ~~English to Speakers of Other Languages (ESOL) Teacher~~ Teacher of English [Language] Learners to an educator who has met the following:

- 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; or a Limited Standard, Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; and[;]
- 3.1.2 Has met the requirements as set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto; and[;]
- 3.1.3 Has satisfied the additional requirements in this regulation.

7 DE Reg. 775 (12/01/03)
 10 DE Reg. 995 (12/01/06)
 12 DE Reg. 341 (09/01/08)

4.0 Additional Requirements

An educator must also have met the following:

- 4.1 ~~Demonstrated oral and written proficiency in English by having completed the following:~~
 - 4.1.1 ~~Achieved a passing score on an oral proficiency examination in English; and~~
 - 4.1.2 ~~Achieved a passing score on a written proficiency examination in English; and~~
 - 4.1.3 ~~The written proficiency and oral proficiency examinations required may be a Praxis II examination if applicable and available or as specified in section 4.2.~~
- 4.2 ~~If an examination of content knowledge such as Praxis II is not applicable and available for the Standard Certificate requested, an educator must also meet the following:~~
 - 4.2.1 ~~Where no PRAXIS II examination is applicable and available, nationally recognized equivalent examinations may be substituted. The applicant shall achieve a passing score on the examination as established by the Standards Board, in consultation with the Department and with the concurrence of the State Board.~~
 - 4.2.2 ~~For the purposes of this regulation, the following test shall be accepted as a nationally recognized equivalent examination: the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview and the ACTFL Writing proficient test.~~
 - 4.2.2.1 ~~For purposes of this regulation the following shall be considered a passing score:-~~
 - 4.2.2.1.1 ~~For tests of English, candidates are required to achieve as a minimum score an Advanced Low level of the oral skills and an Advanced Low level on the writing skills based on the ACTFL Proficiency Guidelines.~~
- 4.3 ~~If the educator is applying for their first Standard certificate pursuant to 14 **DE Admin. Code** 1505 Standard Certificate 3.1.5.1 the required 15 credits or their equivalent in professional development required in 14 **DE Admin. Code** 3.1.5.1 that must be satisfactory completed for this standard certificate must at a minimum include the following areas;~~
 - 4.3.1 ~~Methods of Teaching English as a Second Language (3 credits);~~
 - 4.3.2 ~~Second Language Acquisition (3 credits);~~
 - 4.3.3 ~~Teaching Literacy for English Language Learners (3 credits);~~
 - 4.3.4 ~~Second Language Testing (3 credits);~~
 - 4.3.5 ~~Structure of the English Language (3 credits).~~
- 4.4 ~~If the educator is applying for their second standard Certificate pursuant to 14 **DE Admin. Code** 1505 Standard Certificate 3.1.5, the satisfactory completion of fifteen (15) credits or their equivalent in professional development in the areas of;~~
 - 4.4.1 ~~Methods of Teaching English as a Second Language (3 credits);~~
 - 4.4.2 ~~Second Language Acquisition (3 credits);~~
 - 4.4.3 ~~Teaching Literacy for English Language Learners (3 credits);~~
 - 4.4.4 ~~Second Language Testing (3 credits);~~
 - 4.4.5 ~~Structure of the English Language (3 credits).~~
- 4.1 An educator shall also have satisfied each of the following requirements:
 - 4.1.1 Demonstrated oral and written proficiency in English by [either]:
 - 4.1.1.1 Completion of a bachelor's, master's, or doctoral degree from a regionally accredited college or university that is located in the United States or in a permanently inhabited territory of the United States; or
 - 4.1.1.2 Achieving a minimum level of Advanced Mid based on the American Council on the Teaching of Foreign Languages (ACTFL) Proficiency Guidelines on the ACTFL Oral Proficiency Interview (OPI) in English and the ACTFL Writing Proficiency Test (WPT) in English; and

~~[4.1.2 Holding a bachelor's, master's, or doctoral degree from a regionally accredited college or university with a major or its equivalent in Teaching English Language Learners from a program approved or recognized as provided in subsection 4.1.2.1; or~~

~~4.1.2.1 Required Program Approval or Recognition~~

~~4.1.2.1.1 National Council for the Accreditation of Teacher Education (NCATE) recognized educator preparation program; or~~

~~4.1.2.1.2 The Council for the Accreditation of Educator Preparation (CAEP) specialty organization recognized educator preparation program; or~~

~~4.1.2.1.3 State-approved educator preparation program where the State approval body employed the appropriate standards.~~

~~4.1.3 Completion of a minimum of fifteen (15) credits or the equivalent thereof in professional development as approved by the Department, with a focus in students who are English Language Learners in the following content areas:~~

~~4.1.3.1 Methods of Teaching English as a Second Language (3 credits);~~

~~4.1.3.2 Second Language Acquisition (3 credits);~~

~~4.1.3.3 Teaching Literacy for English Language Learners (3 credits);~~

~~4.1.3.4 Second Language Testing (3 credits); and~~

~~4.1.3.5 Structure of the English Language (3 credits).~~

4.1.2 Completion of either:

4.1.2.1 A bachelor's, master's, or doctoral degree from a regionally accredited college or university with a major or its equivalent in Teaching English Learners from an educator preparation program approved or recognized by National Council for the Accreditation of Teacher Education (NCATE), the Council for Accreditation of Educator Preparation (CAEP), or a state where a state approval body employed the appropriate standards; or

4.1.2.2 A minimum of fifteen (15) credits or the equivalent thereof in professional development as approved by the Department in the following content areas:

4.1.2.2.1 Methods of Teaching English as a Second Language (3 credits);

4.1.2.2.2 Second Language Acquisition (3 credits);

4.1.2.2.3 Teaching Literacy for English Learners (3 credits);

4.1.2.2.4 Second Language Testing (3 credits); and

4.1.2.2.5 Structure of the English Language (3 credits).]

5.0 Past Certification Recognized

The Department shall recognize a Standard Certificate English to Speakers of Other Languages (ESOL) Teacher issued before January 1, 2017. A teacher holding such a Standard Certificate issued by the Department before January 1, 2017 shall be considered certified as ~~[an English to Speakers of Other Languages (ESOL) Teacher~~ a Teacher of English Learners].

6.0 Effective Date

This regulation shall be effective on January 1, 2017.

5 DE Reg. 1904 (04/01/02)

7 DE Reg. 775 (12/01/03)

10 DE Reg. 995 (12/01/06)

Renumbered effective 6/1/07 - see Conversion Table

12 DE Reg. 341 (09/01/08)

20 DE Reg. 366 (11/01/16) (Final)